

CSD 1489 [12/01/15]
 Name, Address, Telephone No. & I.D. No.
 John F. Lenderman 82269
 1401 LaBrucherie Rd., Ste 15
 El Centro, Ca 92243
 760-960-0177

UNITED STATES BANKRUPTCY COURT
 SOUTHERN DISTRICT OF CALIFORNIA
 325 West F Street, San Diego, California 92101-6991

In Re

ARMANDO RODRIGUEZ and HILDA RODRIGUEZ

Debtor,

Bankruptcy No. 17-01116

MOTION TO REOPEN CASE

The ☐ Trustee ☒ Debtor ☐ Party in interest, ARMANDO and HILDA RODRIGUEZ

hereby moves for the entry of an order reopening the above-referenced case pursuant to Fed. R. Bankr. P. 5010

- ☐ To file the Financial Management Certificate and Official Form 423
- ☐ To file a Certificate of Eligibility for Discharge (Spousal Support Certification – CSD 2120, 2121, 2122)
- ☐ To file an Amendment (CSD 1100) and Notice to Creditor (CSD 1101), if required
- ☒ To file a Motion to Avoid Lien(s)
- ☐ To file an Adversary Proceeding, except for the following:
 - §523 adversary proceeding to determine dischargeability of debt
 - File an adversary proceeding or motion to remedy an alleged violation of the discharge
- ☐ To file a Motion to Vacate Dismissal
- ☐ For other purpose as stated below (specify):

Declarations as required by LBR 9013-7(a)(1) accompany this motion.

DATED: 09/27/2022

[Attorney for] Moving Party

Reminder: The below actions do not require the reopening of the Bankruptcy case.

- Motion to Redact/Restrict Public Access.
- Motion for Release of unclaimed funds.
- Motions for reconsideration of judicial rulings.
- Any effort to enforce a judgment in an adversary proceeding (e.g., Writs of Execution, Judgment Debtor Examinations, etc.).

1 John F. Lenderman, Esq. (82269)
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3 El Centro, CA 92243
4 Phone 760-960-0177
5 lendermanlaw@gmail.com
6 Attorney for Debtors

7 UNITED STATES BANKRUPTCY COURT
8 SOUTHERN DISTRICT OF CALIFORNIA

9 IN RE:

Case No.: 17-01116

10 ARMANDO RODRIGUEZ AND HILDA RODRIGUEZ,

DEBTORS' JOINT DECLARATION IN
SUPPORT OF MOTION TO AVOID LIEN
UNDER 11 U.S.C. § 522 (REAL PROPERTY)

11 DEBTORS,

12 We, the DEBTORS, ARMANDO RODRIGUEZ and HILDA RODRIGUEZ, make the following joint declaration
13 in support of our Motion To Avoid Lien Under 11 U.S.C. § 522 (f)(2)(a) (REAL PROPERTY):

- 14
- 15 1. We filed a Chapter 7 Voluntary Petition on 02/28/2017. We appeared at our 341(a) Meeting of Creditors
16 In person with Chapter 7 Trustee James L. Kennedy on 04/07/2017.
 - 17 2. We own real property, a single-family home located at 866 Danenburg Drive, El Centro, Ca 92243. We
18 listed our home with a value of \$270,00.00 in our filed Schedule A- Real Property.
 - 19 3. We elected to use the homestead exemption under CA Code of Civil Procedure § 704.730 and we claimed
20 our home as exempt in the amount of \$82,369.00 in our filed Schedule C - The Property You Claim As
21 Exempt.
 - 22 4. GCFS, Inc., a California corporation, recorded an Abstract Of Judgment ("Abstract") with the County of
23 Imperial, Clerk-Recorder's Office, with Instrument No. 2013-12692, on 06/11/2013. In addition Capital
24

25 DEBTORS' JOINT DECLARATION IN SUPPORT OF MOTION TO AVOID LIEN UNDER 11 U.S.C. § 522 (REAL PROPERTY) - 1

One Bank (USA) N.A., recorded an Abstract Of Judgment ("Abstract") with the County of Imperial, Clerk-Recorder's Office, with Instrument No. 2014-16869, on 11/29/2011. The underlying judgement supporting the recorded Abstract was obtained against JOINT DEBTOR, HILDA RODRIGUEZ.

5. At the time that we filed their Ch. 7 bankruptcy petition, our home was encumbered by the following liens:

- a. Real Time Resolutions (First Mortgage) = \$ 164,706.00
- b. Real Time Resolutions (Second Mortgage)=\$22,925.00
- c. GCFS Inc,(Judgement Lien)=\$12,039.00
- d. Capital One(Judgement Lien)=\$12,244.00

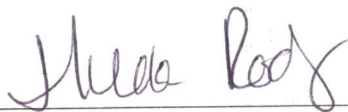
6. We request that the Court to issue an order avoiding GCFS, Inc., lien created by the Abstract Of Judgement that was recorded with the County of Imperial, Clerk-Recorders Office with Instrument No. 2013-12692, on 03/04/2013. We also request that the Court to issue an order avoiding Capital One lien created by the Abstract Of Judgement that was recorded with the County of Imperial, Clerk-Recorders Office with Instrument No.2014-16869.

7. We request that the Court grant such other and further relief as the Court may deem to be just and proper to protect our right to a fresh start, including but not limited to, allowing us to file amendments to switch our exemption election to the C.C.P. § 704 exemption scheme, and to file an amended motion.

VERIFICATION

I, Hilda Rodriguez, the Debtor, make the foregoing declaration under penalty of perjury of the laws of the United States of America.

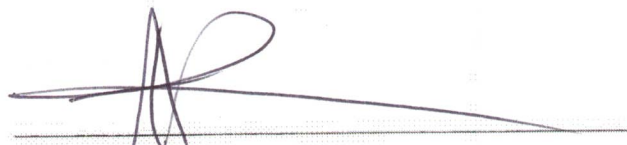
Dated this 26th day of April, 2022


HILDA RODRIGUEZ

VERIFICATION

We, Armando Rodriguez and Hilda Rodriguez, the Debtors, make the foregoing declaration under the penalty of perjury of the laws of the United States of America.

Dated this 4/26/2022



Armando Rodriguez, Debtor

Order No. 140-2045590-32

The beneficial interest under said Deed of Trust was assigned

To: The Bank of New York Mellon FKA The Bank of New York as Trustee for the Certificateholders of the CWALT, Inc., Alternative Loan Trust 2007-18CB Mortgage Pass-Through Certificates, Series 2007-18CB
By Assignment Recorded: 1/24/2012, as Instrument No. 2012-1501, Official Records.

9 A Deed of Trust to secure the indebtedness of
Amount: \$43,000.00
Trustor: Hilda Rodriguez, a married woman, as her sole and separate property
Trustee: Recontrust Company, N.A.
Beneficiary: Countrywide Home Loans, Inc. dba America's Wholesale Lender, Serviced by Mortgage Electronic Registration Systems, Inc. (MERS)
Dated: 5/23/2007
Recorded: 6/7/2007 as Instrument No. 2007-23191 of Official Records

If the above deed of trust is an Equity Line/Line of Credit, prior to close we will require the following:

- (a) Evidence that the line of credit has been frozen and no advances have been made after the issuance of the demand for payoff; and.
- (b) any remaining checks, passbooks, or credit cards issued in conjunction with the line of credit be surrendered

The above Deed of Trust is reflected as an equity line loan. Prior to final payoff we will require a written statement (enclosed), with original signatures, from the borrower/owner and beneficiary, stating the account has been frozen and the maker of the loan has requested the line of credit to be closed; or a full reconveyance must be submitted for recording concurrent with payoff.

The beneficial interest under said Deed of Trust was assigned

To: Bank of America, N.A.
By Assignment Recorded: 4/4/2017, as Instrument No. 2017-7782, Official Records.

10 **An Abstract of Judgment**

Recorded: 6/11/2013 as Instrument No. 2013-12692 Official Records
Entered: 3/4/2013
Case no.: ECI 22524
Court: Superior Court of California, County of Imperial
Judicial District: El Centro Department
Amount: \$12,039.33 plus interest and costs
In favor of: GCFS, Inc., a California Corporation
Against: Hilda Rodriguez

Attorney for judgment creditor or mailing address:

Name: Brighton Hushing-Kline 257399; Gary A. Bemis, 92508
Legal Department of GCFS, Inc.
Address: 4301 Secondwind Way Ste 110
PO Box 3410
Paso Robles, CA 93446

11 An Abstract of Judgment

Recorded:

8/26/2014 as Instrument No. 2014-16869 Official Records

Entered:

11/29/2011

Case no:

ECL19351

Court:

Superior Court of California, County of Imperial

Judicial District:

Main Courthouse

Amount:

\$12,244.18 plus interest and costs

In favor of:

Capital One Bank (USA) N.A.

Against:

Hilda Rodriguez

Attorney for judgment creditor or mailing address:

Name:

Legal Recovery Law Offices, Inc.

Andrew P. Rundquist Bar #262523

Address:

5030 Camino De La Siesta #340

San Diego, CA 92108

- 12 The title search has disclosed possible liens and judgments that cannot be eliminated until we receive a completed Statement of Information from Hilda Rodriguez. THIS TRANSACTION WILL NOT BE ABLE TO CLOSE UNTIL WE HAVE RESOLVED THESE MATTERS. YOUR PROMPT ATTENTION IS APPRECIATED.

End of Schedule B

1 JOHN F. LENDERMAN #82269
2 Attorney at Law
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9

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF CALIFORNIA

10 IN RE:

Case No.: 17-01116

11 ARMANDO RODRIGUEZ AND HILDA RODRIGUEZ

12
13 DEBTORS,

MOTION TO AVOID LIEN UNDER
U.S.C. § 522 (REAL PROPERTY)

HEARING DATE:

TIME:

JUDGE: HON

LOCATION: DEPT.

WEST F STREET, SAN DIEGO CA
92101

21
22 Debtors, ARMANDO RODRIGUEZ AND HILDA RODRIGUEZ, move this court for an order
23 avoiding a lien under 11 USC § 522(f)(2)(a) on the grounds set forth below:

24 1. Debtors filed a Chapter 7 Voluntary Petition (Doc. No.1) on 02/28/2017. Debtors appeared at
25 their 341(a) Meeting of Creditors in person before Chapter 7 Trustee James L. Kennedy on
26 04/07/2017. A Chapter 7 Trustee's Report of No Distributions - No Funds was filed by Trustee
27 Kennedy on 03/01/2017 (Doc.18). The Discharge Order for Debtors was still pending as of the
28 filing of this

1 2. Debtors own real property, a single - family home located at 866 Danenburg Drive, El Centro,
2 CA 92243. Debtor's home was listed with a value of \$270,000.00 in their filed Schedule A/B:
3 Property (see Exhibit A- Schedules A/B, C,D).

4 3. Debtor listed the first mortgage held by Real Time Resolutions.with a claim amount of
5 \$270,000.00 filed Sch.D: Creditors Who Have Claims Secured By Property(Id.)

6 4. Pursuant to the Ca. Code of Civil Procedures § 704.730, Debtors claimed such real property as
7 exempt in the amount of \$82,369.00 in the filed Schedule C - The Property You Claim As
8 Exempt

9 (id.). However, if there were no liens on the property, then Debtors would have been entitled to
10 the entire \$100,000.00 exemption allowed under C.C.P. § 704.730.

11 5. Brighton Hushing-Kline 257399; Gary A. Bemis, attorneys for judgement creditor Bank of
12 America, recorded an Abstract of Judgement("Abstract") in the amount of \$12,039.33 with the
13 County of Imperial, Clerk-Recorder's Office, with Instrument No. 2017-7782 on 04/04/2017
14 (see Exhibit A - Notice of Abstact).

15 6. Under California Code of Civil Procedure § 697.310(a),"... a judgement lien on real property is
16 created under this section by recording an abstract of a money judgement with the county
17 recorder."

18 7. At the time that DEBTORS filed Ch. 7 bankruptcy petition, they're real property was encumbered
19 by the following liens:

20 a. Real Time Resolutions (First Mortgage) = \$164,706.00

21 b. Real Time Resolutions (Second Mortgage) = \$22,925.00

22 c. Bank of America (Judgement Lien) = \$12,093.33

23 d. Capital One Bank (USA) N.A.(Judgement Lien) = \$12,244.18

24 8. The formula for determining if a Judgement Lien is avoidable is avoidable is found under 11
25 USC § 522(f)(2)(a), which reads:

26 "(2)(a)For the purposes of this subsection, a lien shall be considered to impair an exemption
27 to the extent that the sum of

28 (i) the lien;

(ii) all other liens on the property;and

(iii) the amounts of the exemption that the debtor **could claim if there were no liens on the property (emphasis added):**

exceeds the value that the debtor's interest in the property would have an absence of any liens."

9. Based on the facts of this case, the 522(f)(2)(a) analysis is as follows:

a. Under (2)(a)(i) - judgement lien is \$12,039.33

b. Under (2)(a)(ii) - judgement lien is \$12,244.18

c. Under (2)(a)(iii) - all other liens on the property are \$187,631.00

d. Under (2)(a)(iii) - the exemption amount that DEBTORS could claim absent any other liens on the property is \$100,000.00

e. The sum of items (2)(a)(i)-(iii) is \$211,914.51

f. Debtors interest in the real property absent any liens per Schedule A is \$58,085.51

g. The resulting impairment(i.e., \$41,914.49) is greater than the Judgement Lien(i.e., \$24,283.51), lien is entirely avoided.

10. WHEREFORE, Movant requests that the Court issue an order avoiding Bank of America and Capital One Bank's judgement lien's created by the Abstract of Judgements that were recorded with the County of Imperial, Clerk-Recorder's Office with Instrument No.2017-7782 on 04/04/20174 and Instrument No. 2014-16869 on 08/26/2014, and other and other and further relief as the Court may deem to be just and proper to protect Movants' right to a fresh start. Debtors request that \$515.00 in guideline attorney's fees be awarded for services rendered in relation to this motion.

Dated this 22nd of April, 2022

/s/ John F. Lenderman

Attorney for Debtors

EXHIBIT A
Schedules A/B, C, D

Fill in this information to identify your case and this filing:

Debtor 1	Armando Rodriguez		
	First Name	Middle Name	Last Name
Debtor 2	Hilda Rodriguez		
(Spouse, if filing)	First Name	Middle Name	Last Name
United States Bankruptcy Court for the: <u>SOUTHERN DISTRICT OF CALIFORNIA</u>			
Case number _____			

☐ Check if this is an amended filing

Official Form 106A/B

Schedule A/B: Property

12/15

In each category, separately list and describe items. List an asset only once. If an asset fits in more than one category, list the asset in the category where you think it fits best. Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write your name and case number (if known). Answer every question.

Part 1: Describe Each Residence, Building, Land, or Other Real Estate You Own or Have an Interest In**1. Do you own or have any legal or equitable interest in any residence, building, land, or similar property?**

- ☐ No. Go to Part 2.
- ☒ Yes. Where is the property?

1.1

866 Danenberg Dr.

Street address, if available, or other description

EI Centro CA 92243-0000

City State ZIP Code

Imperial

County

What is the property? Check all that apply

- ☒ Single-family home
- ☐ Duplex or multi-unit building
- ☐ Condominium or cooperative
- ☐ Manufactured or mobile home
- ☐ Land
- ☐ Investment property
- ☐ Timeshare
- ☐ Other _____

Who has an interest in the property? Check one

- ☐ Debtor 1 only
- ☐ Debtor 2 only
- ☒ Debtor 1 and Debtor 2 only
- ☐ At least one of the debtors and another

Other information you wish to add about this item, such as local property identification number:

Do not deduct secured claims or exemptions. Put the amount of any secured claims on *Schedule D: Creditors Who Have Claims Secured by Property*.

Current value of the entire property?

\$270,000.00

Current value of the portion you own?

\$270,000.00

Describe the nature of your ownership interest (such as fee simple, tenancy by the entireties, or a life estate), if known.

Joint tenant

☒ Check if this is community property (see instructions)

2. Add the dollar value of the portion you own for all of your entries from Part 1, including any entries for pages you have attached for Part 1. Write that number here.....=>**\$270,000.00****Part 2: Describe Your Vehicles**

Do you own, lease, or have legal or equitable interest in any vehicles, whether they are registered or not? Include any vehicles you own that someone else drives. If you lease a vehicle, also report it on *Schedule G: Executory Contracts and Unexpired Leases*.

Debtor 1 **Armando Rodriguez**
 Debtor 2 **Hilda Rodriguez**

Case number (if known) _____

3. Cars, vans, trucks, tractors, sport utility vehicles, motorcycles

- ☐ No
☒ Yes

3.1 Make: **Nissan**
 Model: **Versa**
 Year: **2015**
 Approximate mileage: **13,000**
 Other information:

Location: 866 Danenberg Dr., El Centro CA 92243

Who has an interest in the property? Check one

- ☐ Debtor 1 only
☐ Debtor 2 only
☒ Debtor 1 and Debtor 2 only
☐ At least one of the debtors and another

☒ Check if this is community property
 (see instructions)

Do not deduct secured claims or exemptions. Put the amount of any secured claims on *Schedule D: Creditors Who Have Claims Secured by Property*.

Current value of the entire property?

Current value of the portion you own?

\$7,375.00

\$7,375.00

3.2 Make: **Jeep**
 Model: **Cherokee**
 Year: **2015**
 Approximate mileage: **13000**
 Other information:

Vehicle is registered and financed under name of co-debtor's mother, Hilda D. Dominguez. Co-Debtor makes payment as she uses it for daily commute.

Who has an interest in the property? Check one

- ☐ Debtor 1 only
☐ Debtor 2 only
☐ Debtor 1 and Debtor 2 only
☒ At least one of the debtors and another

☐ Check if this is community property
 (see instructions)

Do not deduct secured claims or exemptions. Put the amount of any secured claims on *Schedule D: Creditors Who Have Claims Secured by Property*.

Current value of the entire property?

Current value of the portion you own?

\$14,825.00

\$14,825.00

4. Watercraft, aircraft, motor homes, ATVs and other recreational vehicles, other vehicles, and accessories

Examples: Boats, trailers, motors, personal watercraft, fishing vessels, snowmobiles, motorcycle accessories

- ☒ No
☐ Yes

5 Add the dollar value of the portion you own for all of your entries from Part 2, including any entries for pages you have attached for Part 2. Write that number here.....=>

\$22,200.00

Part 3: Describe Your Personal and Household Items

Do you own or have any legal or equitable interest in any of the following items?

Current value of the portion you own?
 Do not deduct secured claims or exemptions.

6. Household goods and furnishings

Examples: Major appliances, furniture, linens, china, kitchenware

- ☐ No
☒ Yes. Describe.....

**Assorted household goods and furnishings.
 Location: 866 Danenberg Dr., El Centro CA 92243**

\$500.00

7. Electronics

Examples: Televisions and radios; audio, video, stereo, and digital equipment; computers, printers, scanners; music collections; electronic devices including cell phones, cameras, media players, games

- ☐ No
☒ Yes. Describe.....

**Assorted household electronics.
 Location: 866 Danenberg Dr., El Centro CA 92243**

\$500.00

Debtor 1 **Armando Rodriguez**
 Debtor 2 **Hilda Rodriguez**

Case number (if known) _____

8. Collectibles of value

Examples: Antiques and figurines; paintings, prints, or other artwork; books, pictures, or other art objects; stamp, coin, or baseball card collections; other collections, memorabilia, collectibles

☒ No☐ Yes. Describe.....**9. Equipment for sports and hobbies**

Examples: Sports, photographic, exercise, and other hobby equipment; bicycles, pool tables, golf clubs, skis; canoes and kayaks; carpentry tools; musical instruments

☒ No☐ Yes. Describe.....**10. Firearms**

Examples: Pistols, rifles, shotguns, ammunition, and related equipment

☒ No☐ Yes. Describe.....**11. Clothes**

Examples: Everyday clothes, furs, leather coats, designer wear, shoes, accessories

☐ No☒ Yes. Describe.....**Assorted clothing.****Location: 866 Danenberg Dr., El Centro CA 92243****\$500.00****12. Jewelry**

Examples: Everyday jewelry, costume jewelry, engagement rings, wedding rings, heirloom jewelry, watches, gems, gold, silver

☒ No☐ Yes. Describe.....**13. Non-farm animals**

Examples: Dogs, cats, birds, horses

☒ No☐ Yes. Describe.....**14. Any other personal and household items you did not already list, including any health aids you did not list**☒ No☐ Yes. Give specific information.....**15. Add the dollar value of all of your entries from Part 3, including any entries for pages you have attached for Part 3. Write that number here****\$1,500.00****Part 4: Describe Your Financial Assets****Do you own or have any legal or equitable interest in any of the following?**

Current value of the portion you own?
Do not deduct secured claims or exemptions.

16. Cash

Examples: Money you have in your wallet, in your home, in a safe deposit box, and on hand when you file your petition

☒ No☐ Yes.....**17. Deposits of money**

Examples: Checking, savings, or other financial accounts; certificates of deposit; shares in credit unions, brokerage houses, and other similar institutions. If you have multiple accounts with the same institution, list each.

☐ No☒ Yes.....

Institution name:

Debtor 1 **Armando Rodriguez**
 Debtor 2 **Hilda Rodriguez**

Case number (if known) _____

17.1. Checking	Rabobank (Account ending in 5588)	\$2,991.62
17.2. Business Checking	Bank of America (Account ending in 6192)	\$5,233.66

18. Bonds, mutual funds, or publicly traded stocks

Examples: Bond funds, investment accounts with brokerage firms, money market accounts

- ☒ No
☐ Yes..... Institution or issuer name:

19. Non-publicly traded stock and interests in incorporated and unincorporated businesses, including an interest in an LLC, partnership, and joint venture

- ☒ No
☐ Yes. Give specific information about them.....
 Name of entity: % of ownership:

20. Government and corporate bonds and other negotiable and non-negotiable instruments

Negotiable instruments include personal checks, cashiers' checks, promissory notes, and money orders.
Non-negotiable instruments are those you cannot transfer to someone by signing or delivering them.

- ☒ No
☐ Yes. Give specific information about them
 Issuer name:

21. Retirement or pension accounts

Examples: Interests in IRA, ERISA, Keogh, 401(k), 403(b), thrift savings accounts, or other pension or profit-sharing plans

- ☐ No
☒ Yes. List each account separately.
 Type of account: Institution name:

Pension	ICERS (Employee ID ending in 8080)	\$6,929.24
----------------	---	-------------------

22. Security deposits and prepayments

Your share of all unused deposits you have made so that you may continue service or use from a company
Examples: Agreements with landlords, prepaid rent, public utilities (electric, gas, water), telecommunications companies, or others

- ☒ No
☐ Yes. Institution name or individual:

23. Annuities (A contract for a periodic payment of money to you, either for life or for a number of years)

- ☒ No
☐ Yes..... Issuer name and description.

24. Interests in an education IRA, in an account in a qualified ABLE program, or under a qualified state tuition program.

26 U.S.C. §§ 530(b)(1), 529A(b), and 529(b)(1).

- ☒ No
☐ Yes..... Institution name and description. Separately file the records of any interests. 11 U.S.C. § 521(c):

25. Trusts, equitable or future interests in property (other than anything listed in line 1), and rights or powers exercisable for your benefit

- ☒ No
☐ Yes. Give specific information about them...

26. Patents, copyrights, trademarks, trade secrets, and other intellectual property

Examples: Internet domain names, websites, proceeds from royalties and licensing agreements

- ☒ No
☐ Yes. Give specific information about them...

27. Licenses, franchises, and other general intangibles

Examples: Building permits, exclusive licenses, cooperative association holdings, liquor licenses, professional licenses

- ☒ No

Debtor 1 **Armando Rodriguez**
 Debtor 2 **Hilda Rodriguez**

Case number (if known) _____

☐ Yes. Give specific information about them...

Money or property owed to you?

Current value of the portion you own?
 Do not deduct secured claims or exemptions.

28. Tax refunds owed to you

☒ No

☐ Yes. Give specific information about them, including whether you already filed the returns and the tax years.....

29. Family support

Examples: Past due or lump sum alimony, spousal support, child support, maintenance, divorce settlement, property settlement

☒ No

☐ Yes. Give specific information.....

30. Other amounts someone owes you

Examples: Unpaid wages, disability insurance payments, disability benefits, sick pay, vacation pay, workers' compensation, Social Security benefits; unpaid loans you made to someone else

☒ No

☐ Yes. Give specific information..

31. Interests in insurance policies

Examples: Health, disability, or life insurance; health savings account (HSA); credit, homeowner's, or renter's insurance

☐ No

☒ Yes. Name the insurance company of each policy and list its value.

Company name:

Beneficiary:

Surrender or refund value:

Mass Mutual Financial Group
Term Life Insurance. No cash value.

Hilda Rodriguez**\$0.00****32. Any interest in property that is due you from someone who has died**

If you are the beneficiary of a living trust, expect proceeds from a life insurance policy, or are currently entitled to receive property because someone has died.

☒ No

☐ Yes. Give specific information..

33. Claims against third parties, whether or not you have filed a lawsuit or made a demand for payment

Examples: Accidents, employment disputes, insurance claims, or rights to sue

☒ No

☐ Yes. Describe each claim.....

34. Other contingent and unliquidated claims of every nature, including counterclaims of the debtor and rights to set off claims

☒ No

☐ Yes. Describe each claim.....

35. Any financial assets you did not already list

☒ No

☐ Yes. Give specific information..

36. Add the dollar value of all of your entries from Part 4, including any entries for pages you have attached for Part 4. Write that number here.....

\$15,154.52**Part 5: Describe Any Business-Related Property You Own or Have an Interest In. List any real estate in Part 1.****37. Do you own or have any legal or equitable interest in any business-related property?**

☒ No. Go to Part 6.

☐ Yes. Go to line 38.

Debtor 1 **Armando Rodriguez**
 Debtor 2 **Hilda Rodriguez**

Case number (if known) _____

Part 6: Describe Any Farm- and Commercial Fishing-Related Property You Own or Have an Interest In.
 If you own or have an interest in farmland, list it in Part 1.

46. Do you own or have any legal or equitable interest in any farm- or commercial fishing-related property?

- ☒ No. Go to Part 7.
☐ Yes. Go to line 47.

Part 7: Describe All Property You Own or Have an Interest in That You Did Not List Above

53. Do you have other property of any kind you did not already list?

Examples: Season tickets, country club membership

- ☒ No
☐ Yes. Give specific information.....

54. Add the dollar value of all of your entries from Part 7. Write that number here

\$0.00

Part 8: List the Totals of Each Part of this Form

55. Part 1: Total real estate, line 2		\$270,000.00
56. Part 2: Total vehicles, line 5	\$22,200.00	
57. Part 3: Total personal and household items, line 15	\$1,500.00	
58. Part 4: Total financial assets, line 36	\$15,154.52	
59. Part 5: Total business-related property, line 45	\$0.00	
60. Part 6: Total farm- and fishing-related property, line 52	\$0.00	
61. Part 7: Total other property not listed, line 54	\$0.00	
	+	
62. Total personal property. Add lines 56 through 61...	\$38,854.52	Copy personal property total \$38,854.52
63. Total of all property on Schedule A/B. Add line 55 + line 62		\$308,854.52

Fill in this information to identify your case:

Debtor 1	Armando Rodriguez		
	First Name	Middle Name	Last Name
Debtor 2	Hilda Rodriguez		
(Spouse if, filing)	First Name	Middle Name	Last Name
United States Bankruptcy Court for the:	SOUTHERN DISTRICT OF CALIFORNIA		
Case number (if known)			

☐ Check if this is an amended filing

Official Form 106C

Schedule C: The Property You Claim as Exempt

4/16

Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. Using the property you listed on *Schedule A/B: Property* (Official Form 106A/B) as your source, list the property that you claim as exempt. If more space is needed, fill out and attach to this page as many copies of *Part 2: Additional Page* as necessary. On the top of any additional pages, write your name and case number (if known).

For each item of property you claim as exempt, you must specify the amount of the exemption you claim. One way of doing so is to state a specific dollar amount as exempt. Alternatively, you may claim the full fair market value of the property being exempted up to the amount of any applicable statutory limit. Some exemptions—such as those for health aids, rights to receive certain benefits, and tax-exempt retirement funds—may be unlimited in dollar amount. However, if you claim an exemption of 100% of fair market value under a law that limits the exemption to a particular dollar amount and the value of the property is determined to exceed that amount, your exemption would be limited to the applicable statutory amount.

Part 1: Identify the Property You Claim as Exempt

1. Which set of exemptions are you claiming? Check one only, even if your spouse is filing with you.

☒ You are claiming state and federal nonbankruptcy exemptions. 11 U.S.C. § 522(b)(3)

☐ You are claiming federal exemptions. 11 U.S.C. § 522(b)(2)

2. For any property you list on *Schedule A/B* that you claim as exempt, fill in the information below.

Brief description of the property and line on <i>Schedule A/B</i> that lists this property	Current value of the portion you own Copy the value from <i>Schedule A/B</i>	Amount of the exemption you claim Check only one box for each exemption.	Specific laws that allow exemption
866 Danenberg Dr. El Centro, CA 92243 Imperial County Line from <i>Schedule A/B</i> : 1.1	\$270,000.00	<input checked="" type="checkbox"/> \$82,369.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	C.C.P. § 704.730
2015 Nissan Versa 13,000 miles Location: 866 Danenberg Dr., El Centro CA 92243 Line from <i>Schedule A/B</i> : 3.1	\$7,375.00	<input checked="" type="checkbox"/> \$0.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	C.C.P. § 704.010
Assorted household goods and furnishings. Location: 866 Danenberg Dr., El Centro CA 92243 Line from <i>Schedule A/B</i> : 6.1	\$500.00	<input checked="" type="checkbox"/> \$500.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	C.C.P. § 704.020
Assorted household electronics. Location: 866 Danenberg Dr., El Centro CA 92243 Line from <i>Schedule A/B</i> : 7.1	\$500.00	<input checked="" type="checkbox"/> \$500.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	C.C.P. § 704.020
Assorted clothing. Location: 866 Danenberg Dr., El Centro CA 92243 Line from <i>Schedule A/B</i> : 11.1	\$500.00	<input checked="" type="checkbox"/> \$500.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	C.C.P. § 704.010

Debtor 1 **Armando Rodriguez**
 Debtor 2 **Hilda Rodriguez**

Case number (if known) _____

Brief description of the property and line on Schedule A/B that lists this property	Current value of the portion you own <small>Copy the value from Schedule A/B</small>	Amount of the exemption you claim <small>Check only one box for each exemption.</small>	Specific laws that allow exemption
Checking: Rabobank (Account ending in 5588) Line from Schedule A/B: 17.1	\$2,991.62	<input checked="" type="checkbox"/> \$2,991.62 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	C.C.P. § 704.070
Business Checking: Bank of America (Account ending in 6192) Line from Schedule A/B: 17.2	\$5,233.66	<input checked="" type="checkbox"/> \$5,233.66 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	C.C.P. § 704.070
Pension: ICERS (Employee ID ending in 8080) Line from Schedule A/B: 21.1	\$6,929.24	<input checked="" type="checkbox"/> \$6,929.24 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	C.C.P. § 704.110
Mass Mutual Financial Group Term Life Insurance. No cash value. Beneficiary: Hilda Rodriguez Line from Schedule A/B: 31.1	\$0.00	<input checked="" type="checkbox"/> \$0.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	C.C.P. § 704.100

3. Are you claiming a homestead exemption of more than \$160,375?

(Subject to adjustment on 4/01/19 and every 3 years after that for cases filed on or after the date of adjustment.)

- ☒ No
- ☐ Yes. Did you acquire the property covered by the exemption within 1,215 days before you filed this case?
- ☐ No
- ☐ Yes

Fill in this information to identify your case:

Debtor 1	Armando Rodriguez		
	First Name	Middle Name	Last Name
Debtor 2	Hilda Rodriguez		
(Spouse if, filing)	First Name	Middle Name	Last Name
United States Bankruptcy Court for the: SOUTHERN DISTRICT OF CALIFORNIA			
Case number (if known) _____			

☐ Check if this is an amended filing

Official Form 106D

Schedule D: Creditors Who Have Claims Secured by Property

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Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. If more space is needed, copy the Additional Page, fill it out, number the entries, and attach it to this form. On the top of any additional pages, write your name and case number (if known).

1. Do any creditors have claims secured by your property?

- ☐ No. Check this box and submit this form to the court with your other schedules. You have nothing else to report on this form.
- ☒ Yes. Fill in all of the information below.

Part 1: List All Secured Claims

2. List all secured claims. If a creditor has more than one secured claim, list the creditor separately for each claim. If more than one creditor has a particular claim, list the other creditors in Part 2. As much as possible, list the claims in alphabetical order according to the creditor's name.

	Column A Amount of claim Do not deduct the value of collateral.	Column B Value of collateral that supports this claim	Column C Unsecured portion If any
2.1 Chase Auto Finance Creditor's Name National Bankruptcy Dept 201 N Central Ave Ms Az1-1191 Phoenix, AZ 85004 Number, Street, City, State & Zip Code	Describe the property that secures the claim: 2015 Nissan Versa 13,000 miles Location: 866 Danenberg Dr., El Centro CA 92243 As of the date you file, the claim is: Check all that apply. <input type="checkbox"/> Contingent <input type="checkbox"/> Unliquidated <input type="checkbox"/> Disputed Nature of lien. Check all that apply. <input type="checkbox"/> An agreement you made (such as mortgage or secured car loan) <input type="checkbox"/> Statutory lien (such as tax lien, mechanic's lien) <input type="checkbox"/> Judgment lien from a lawsuit <input type="checkbox"/> Other (including a right to offset) _____	\$12,604.00	\$7,375.00
Who owes the debt? Check one. <input checked="" type="checkbox"/> Debtor 1 only <input type="checkbox"/> Debtor 2 only <input type="checkbox"/> Debtor 1 and Debtor 2 only <input type="checkbox"/> At least one of the debtors and another <input type="checkbox"/> Check if this claim relates to a community debt Opened 03/15 Last Active Date debt was incurred 1/13/17	Last 4 digits of account number 8767		

2.2 Real Time Resolutions Creditor's Name Attn: Bankruptcy Po Box 36655 Dallas, TX 75235 Number, Street, City, State & Zip Code	Describe the property that secures the claim: 866 Danenberg Dr. El Centro, CA 92243 Imperial County As of the date you file, the claim is: Check all that apply. <input type="checkbox"/> Contingent <input type="checkbox"/> Unliquidated <input type="checkbox"/> Disputed Nature of lien. Check all that apply. <input type="checkbox"/> An agreement you made (such as mortgage or secured car loan) <input type="checkbox"/> Statutory lien (such as tax lien, mechanic's lien) <input type="checkbox"/> Judgment lien from a lawsuit	\$164,706.00	\$270,000.00	\$0.00
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Debtor 1 **Armando Rodriguez**

First Name Middle Name Last Name

Case number (if know)

Debtor 2 **Hilda Rodriguez**

First Name Middle Name Last Name

☐ Check if this claim relates to a community debt☒ Other (including a right to offset)**First Mortgage**Opened
05/07 Last
ActiveDate debt was incurred **2/09/17**Last 4 digits of account number **4081****2.3 Real Time Resolutions**

Creditor's Name

**Attn: Bankruptcy
Po Box 36655
Dallas, TX 75235**

Number, Street, City, State & Zip Code

Describe the property that secures the claim:

\$22,925.00**\$270,000.00****\$0.00****866 Danenberg Dr. El Centro, CA
92243 Imperial County**

As of the date you file, the claim is: Check all that apply.

☐ Contingent☐ Unliquidated☐ Disputed

Nature of lien. Check all that apply.

☐ An agreement you made (such as mortgage or secured car loan)☐ Statutory lien (such as tax lien, mechanic's lien)☐ Judgment lien from a lawsuit☒ Other (including a right to offset)**Second Mortgage**

Who owes the debt? Check one.

☐ Debtor 1 only☒ Debtor 2 only☐ Debtor 1 and Debtor 2 only☐ At least one of the debtors and another☐ Check if this claim relates to a community debtOpened
05/07 Last
ActiveDate debt was incurred **1/13/17**Last 4 digits of account number **4073**

Add the dollar value of your entries in Column A on this page. Write that number here:

\$200,235.00

If this is the last page of your form, add the dollar value totals from all pages.

Write that number here:

\$200,235.00**Part 2: List Others to Be Notified for a Debt That You Already Listed**

Use this page only if you have others to be notified about your bankruptcy for a debt that you already listed in Part 1. For example, if a collection agency is trying to collect from you for a debt you owe to someone else, list the creditor in Part 1, and then list the collection agency here. Similarly, if you have more than one creditor for any of the debts that you listed in Part 1, list the additional creditors here. If you do not have additional persons to be notified for any debts in Part 1, do not fill out or submit this page.

AFNI
1310 Martin Luther King Dr
Bloomington, IL 61702-3517

American Medical Collection Ag
4 Westchester Plaza
Suite 110
Elmsford, NY 10523

Andrew Rundquist SBN 262523
5030 Camino de La Siesta
San Diego, CA 92108

Anthony Huynh Medical Group
718 S 4th St
El Centro, CA 92243

ARS National Services
PO BOX 469046
Escondido, CA 92046-9046

AT&T
208 S. Akard St.
Dallas, TX 75202

C.U. Recovery
26263 Forest Blvd
Wyoming, MN 55092

CA Emergency Phys
PO BOX 582663
Modesto, CA 95358-0046

California Business Bu
4542 Ruffner St Ste 160
San Diego, CA 92111

Capital Management Services
698 1/2 S. Ogden St.
Buffalo, NY 14206-2317

Capital One (Bankruptcy Dept)
15000 Capital One Dr
Henrico, VA 23238

Cavalry
PO BOX 520
Valhalla, NY 10595

Cb Imperial
Pob 970
El Centro, CA 92244

Chase Auto Finance
National Bankruptcy Dept
201 N Central Ave Ms Az1-1191
Phoenix, AZ 85004

Chase Bank
P.O. Box 6026
Chicago, IL 60680

City of El Centro
1275 Main St
El Centro, CA 92243

Convergent Outsourcing
800 SW 39th St.
Renton, WA 98057-9004

Credence Resource Management
Po Box 2300
Southgate, MI 48195

Credit Collection Services
Two Wells Avenue
Newton Center, MA 02459

Dillards Card
Po Box 10347
Des Moines, IA 50306

Diversified Consultants, Inc.
PO BOX 551268
Jacksonville, FL 32255-1268

Dynamic Recovery Solutions
P.O. BOX 25759
Greenville, SC 29616-0759

ECRMC
1415 Ross Ave,
El Centro, CA 92243

Enrique J Diaz
PO BOX 1023
Heber, CA 92249

First Imperial Credit
1602 W Main St
El Centro, CA 92243

GE Moneybank
PO BOX 530914
Atlanta, GA 30530-9500

Internal Revenue Service
Centralized Insolvency
Post Office Box 7346
Philadelphia, PA 19101-7346

Kestutis Kuraitis MD
PO BOX 651
Brawley, CA 92227

LabCorp
P.O. Box 55126
Boston, MA 02205-5126

Legal Department of GCFS
4301 Secondwind Way Suite 110
PO BOX 3410
Paso Robles, CA 93447-3410

Northland Group Inc.
P.O. Box 390846
Minneapolis, MN 55439

Pathology Assoc of SOCAL-INP
PO BOX 232
Chatsworth, CA 91313-2311

PayPal Credit
P.O. Box 5138
Lutherville Timonium, MD 21094

Pioneers Memorial Hospital
207 West Legion Rd
Brawley, CA 92227

Quest Diagnostics
3 Giralda Farms
Madison, NJ 07940

Rabobank Na
Po Box 6002
Arroyo Grande, CA 93421

Real Time Resolutions
Attn: Bankruptcy
Po Box 36655
Dallas, TX 75235

Sharp & Childrens MRI
PO BOX 23326
San Diego, CA 92193-3326

Simm Associates, Inc.
800 Pencader Dr.
Newark, DE 19702

Southwest Credit
4120 International Pkwy
Suite 1100
Carrollton, TX 75007-1958

T-mobile Bankruptcy Team
PO BOX 53410
Bellevue, WA 98015-3410